

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 17TH DAY OF SEPTEMBER 2015/26TH BHADRA, 1937

Bail Appl..No. 5529 of 2015

CRIME NO. 397/2011 OF CBCID, KANNUR

PETITIONER/ACCUSWED NO.6:

**MANOJ KUMAR P., AGED 38 YEARS,
S/O P.SREEDHARAN, AMBALAKUNNU, VYTHIRI P.O.,
KANNUR.**

BY ADV. SRI.M.P.JOSEPH TIJO

RESPONDENTS/INVESTIGATION AGENCIES:

- 1. THE DETECTIVE INSPECTOR OF POLICE, CBCID
CBCID, EOW 3, KANNUR SUB UNIT,
KANNUR-670 001.**
- 2. STATE OF KERALA,
REPRESENTED BY THE CIRCLE INSPECTOR OF POLICE,
MEDICAL COLLEGE POLICE STATION, KANNUR.
REPRESENTED THROUGH PUBLIC PROSECUTOR, CBCID
HIGH COURT OF KERALA, ERNAKULAM-682031.**

BY PUBLIC PROSECUTOR SMT.T.Y.LALIZA

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 17-09-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

A.HARIPRASAD, J.

B.A. No.5529 of 2015

Dated this the 17th day of September, 2015

ORDER

Petitioner seeks pre-arrest bail under Section 438 of the Code of Criminal Procedure in CBCIB 397/CR-11 of CBCID, EOW 3, Kannur Sub Unit, Kannur registered for offences punishable under Section 420 read with Section 34 of the Indian Penal Code and Section 3 read with Sections 4 to 6 of the Kerala Prohibition of Charging of Exorbitant Interest Act, 2012. He is the sixth accused in the crime.

2. Heard both sides.

3. Learned Public Prosecutor opposed the bail application. It is submitted that a look out notice has been issued against the petitioner. His earlier bail application was dismissed by this Court for non-representation.

4. Considering the nature of allegations and the stage of the matter, I am not inclined to grant anticipatory bail to the petitioner. Petitioner, if surrenders in a week before the Investigating Officer, he shall be questioned and thereafter on the same day, he shall be produced before the learned Magistrate having jurisdiction. Petitioner is free to move for regular bail before the learned Magistrate. In that event, the learned Magistrate shall consider the application as expeditiously as possible on

merits. If the petitioner fails to surrender as mentioned above, the investigating officer is free to arrest him as if no order has been passed.

The application is disposed of.

A. HARIPRASAD, JUDGE.

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